

Application No. 10/666,642

Amendment dated July 27, 2005

Reply to Restriction Requirement of June 30, 2005

REMARKS

Amendments to the specification. The addition of the paragraph at page 1, line 10, indicates the joint research agreement between the present assignee, Mendel Biotechnology, Inc. and Monsanto Corporation.

Amendments to the claims. Claims 1-20 are canceled. New claims 21-40 remain in this application.

Support for specific amendments may be found, for example:

for controls that are wild-type plants of the same species (claims 24, 31-33, 35, and 28-40), on page 14, line 13, page 16, lines 17, 20-21 and 28, on page 27, line 36; and on page 30, line 7;

for a polypeptide comprising a conserved domain with at least 70% sequence identity to the conserved domain of amino acid coordinates 111-164 of SEQ ID NO: 194 (claims 21, 24-26, 35-37), on page 14, lines 6-10 ("nucleotide sequences encoding a polypeptide having a conserved domain required for the function of regulating transcription and altering a trait in a transgenic plant, the conserved domain being at least 70% identical with a conserved domain of a polypeptide of the invention (i.e., a polypeptide listed in the sequence listing, or encoded by any of the above nucleotide sequences)"), on page 39, line 3 ("[t]ranscription factors that are homologous to the listed sequences will typically share, in at least one conserved domain, at least about 70% amino acid sequence identity" and on page 82, bottom row of Table 5, column 3 (Polypeptide SEQ ID NO: 194, G1274, conserved domain of "111-164");

for transgenic plants transformed with G1274, SEQ ID NOs: 193 and 194, having greater tolerance to cold during germination, greater tolerance to cold during growth, greater tolerance to drought, greater tolerance to nitrogen limitation, larger leaves and greater biomass (claims 24, 35), on page 15, lines 15-29, in Table 4 on page 68 (rows for SEQ ID NO: 193, G1274), in Table 6, page 88, last row, column 2 ("Less sensitive to N limitation") and column 3 (includes G1274), on page 111, lines 26-27, on pages 409, line 29 through page 411, line 8, and page 410, lines 27-28;

for transgenic plants transformed with an expression vector comprising a cauliflower mosaic virus 35S promoter, a root-, vascular, meristem-, or leaf-specific promoter, a drought- or low-temperature inducible promoter, or a polynucleotide encoding a polypeptide comprising a DNA-binding domain combined with a GAL4 activation domain (claims 27-30), on page 52, lines 5-13 and page 54, lines 5, 12-13, 20-21, and 30-32, on page 97, lines 30-31 and page 102, lines 18-23, page 396, lines 34-35, and page 490, line 34 through page 491, line 6;

for seed (claims 23, 34), on page 27, line 26, page 28, line 7 and page 364, lines 1 and 19; and

for transgenic plants having greater tolerance than a wild-type plant to 168 hours without watering, six hours exposure to 4° to 8° C during growth, greater tolerance to six hours of exposure to 8° C during germination (claims 31-33 and 38-40), and greater tolerance to media containing 20 mg/l of NH₄NO₃ as the nitrogen source, on page 370, lines 23-31 and page 372, lines 19-23.

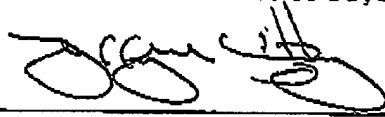
Applicants believe no new matter is added by this amendment.

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CONCLUSION

Applicants believe that no additional fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Mendel Biotechnology, Inc. Deposit Account No. 50-1025.

Respectfully submitted,
MENDEL BIOTECHNOLOGY, INC.



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